

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ARACELY OREGON,

Plaintiff,

v.

BOSTON SCIENTIFIC  
CORPORATION.

Defendant.

Case No. 1:21-cv-01092-ADA-CDB

ORDER ON STIPULATION FOR SECOND  
AMENDMENT TO SCHEDULING ORDER  
**AS MODIFIED**

(Doc. 34)

Plaintiff initiated this action by filing a Complaint on July 15, 2021. (Doc. 1). In the operative, First Amended Complaint filed June 16, 2022, Plaintiff asserts causes of action for strict liability and negligence. (Doc. 20). On July 6, 2022, the Court convened the parties for a scheduling conference and thereafter issued a Scheduling Order. (Docs. 27, 28).

On December 20, 2022, the parties filed a stipulation seeking a 90-day extension of the discovery, motion and trial schedule. (Doc. 32). The Court issued an order granting the stipulation as modified. (Doc. 33). Pending before the Court is the parties' stipulation filed February 17, 2023, seeking a second amendment to the scheduling order. (Doc. 34). The stipulation is timely filed pursuant to Local Rule 144(d). Moreover, the parties' representations therein satisfy the requirements under Fed. R. Civ. P. 16(b)(4) to show good cause and diligence. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

Accordingly, based on the parties' representations in the stipulation and for good cause

shown, IT IS HEREBY ORDERED that the following dates and deadlines are continued:

1. Non-expert discovery cutoff (including hearings on any motions to compel) from May 12, 2023, to **November 13, 2023;**
2. Expert disclosure deadline from June 9, 2023 to **December 11, 2023;**
3. Supplemental expert disclosure deadline from August 11, 2023 to **February 12, 2024;**
4. Expert discovery cutoff (including hearings on any motions to compel) from October 20, 2023 to **April 19, 2024;**
5. Dispositive motion deadline (including summary judgment motions and Rule 702 (*Daubert*) motions) from January 8, 2024 to **July 8, 2024;**
  - a. Dispositive motion hearing date **August 19, 2023;**
6. Settlement conference on February 7, 2024 to **August 7, 2024;**
7. Pre-Trial Conference from June 17, 2024 to **December 16, 2024;** and
8. Trial from August 20, 2024 to **February 25, 2025.**

IT IS SO ORDERED.

Dated: **February 23, 2023**

  
UNITED STATES MAGISTRATE JUDGE